

**REMARKS**

Claims 1-26 are all the claims pending in the application.

**Claim Rejections - 35 U.S.C. § 102(b)**

The Examiner rejected claims 1-17 as being anticipated by Watanabe et al. (JP 64-013439). Applicants respectfully traverse this rejection for the reasons set forth below.

**Claims 1, 3, 4, 5, 8, 9 and 11**

Claim 1 recites, *inter alia*, a first guide member adapted to introduce the respiratory gas from the nostrils to the respiratory flow path. First the Examiner fails to assert or point to any feature within Watanabe that discloses this feature. (*See* Office Action). In fact, the Examiner's rejection is copied verbatim from the concise English explanation of relevance supplied with the Information Disclosure Statement citing Watanabe. Second, Applicants submit that Watanabe fails to disclose such a feature.

In particular, Watanabe appears to only disclose a semiconductor laser 1 opposed to a photodetecting element 3 and a groove 2 for admitting ambient gas 5 or liquid 9. There is no disclosure of any first guide member adapted to introduce the gas from the nostrils to the respirator flow path.

Thus, Applicants submit that claim 1 is allowable for at least this reason. Furthermore, Applicants submit that claims 3, 4, 5, 8, 9 and 11 are allowable, at least because of their dependency from claim 1.

**Claims 10 and 12**

Claim 10 recites, *inter alia*, an oxygen mask, adapted to cover a part of a face of the living body to supply oxygen to the living body.

The Examiner fails to indicate any portion of Watanabe that discloses such a feature.

Furthermore, Applicants submit that Watanabe fails to disclose any oxygen mask.

Thus, Applicants respectfully submit that claim 10 is allowable for at least this reason.

Additionally, Applicants submit that claim 12 is allowable, at least because of its dependency.

### **Claims 13, 14, 15, 16 and 17**

Claim 13 recites, *inter alia*, a pair of thin transparent films respectively sealing the openings.

The Examiner fails to indicate with any particularity where Watanabe discloses such a feature. Furthermore, Applicants submit that Watanabe fails to disclose any thing films sealing any openings.

Thus, Applicants submit that claim 13 is allowable for at least this reason. Additionally, Applicants submit that claims 14-17, 19 and 20 are allowable, at least because of their dependency.

### **New Claims**

Because claim 21 recites a feature similar to that argued above with regard to claim 13, Applicants submit that new claim 21 is allowable for the same reasons set forth above. Additionally, Applicants submit that claims 22-26 are allowable, at least because of their dependency.

Applicants submit that new claims 18, 19 and 20 are allowable, at least because of their dependency.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the


**Amendment Under 37 C.F.R. § 1.111**  
**U.S. Appln. No. 10/092,591**

**Atty. Dkt. Q68895**

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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